

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA
& BY ELECTRONIC MEANS (GOTO MEETING)

June 21, 2021
6:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, and Audrey Nelsen. Present 7, Absent 2. Council Members Julie Asmus and Andrew Plowman arrived later in the meeting.

Also present were Interim City Administrator John Harren, Police Chief Jim Felt, Finance Director Steve Okins, Interim Public Works Director Gary Manzer, Fire Chief Frank Hanson, Parks and Recreation Director Rob Baumgarn, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Fagerlie moved to approve the agenda. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 6, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of June 7, 2021
- B. Willmar Municipal Utilities Commission Minutes of June 14, 2021
- C. Rice Hospital Board Minutes of December 2, 2020
- D. Rice Hospital Board Minutes of March 3, 2021
- E. Human Rights Commission Appointments - Jonathan Dahl and John Kellen
- F. Accounts Payable Report of May 27 – June 10, 2021
- G. Miscellaneous Finance Reports
- ~~H. 2022 Budget Calendar~~
- I. Police Commission Minutes of April 22, 2021
- J. Charter Commissions Minutes of May 11, 2021
- K. Human Rights Commission Minutes of March 16, 2021
- L. Police Department Statistics for the Month of May, 2021

Council Member Fagerlie offered a motion to introduce **Resolution No. 2021-135 Approving Consent Agenda Items**. Council Member Nelsen asked that Item H. be removed for discussion. Council Member O'Brien noted John Kellen's name was omitted when reading the consent agenda items. Mayor Calvin stated Mr. Kellen asked to be removed due to personal reasons at this time. Council Member Nelsen seconded the motion to approve the consent agenda, with removal of Item H., which carried on a roll call vote of Ayes 6, Noes 0.

Council Member Nelsen inquired about the proposed budget calendar and Council's involvement in discussion and setting priorities for the proposed budget. Mayor Calvin stated he has followed the established process and expressed his desire to have a retreat once a city administrator is hired. Following discussion, Council Member Nelsen offered a motion to approve Item H. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 6, Noes 0.

At 6:06 p.m. Mayor Calvin opened the public hearing for an ordinance amending Ordinance Chapter 17, Surface Water Management, Sec. 17-32 Discharge Prohibitions. Environmental Specialist Sara Sietsema provided pertinent information to the Mayor and Council.

There being no one present to speak for or against said ordinance, Mayor Calvin closed the public hearing at 6:09 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie introduced **Ordinance No. 1465 An Ordinance Amending Chapter 17, Surface Water Management, Article III, Illicit Discharge and Illegal Connection, Section 17-32, Discharge Prohibitions**. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 6, Noes 0.

Mayor Calvin recognized Willmar Fests Chairman James Miller who thanked the City Council and staff for their help and support and extended invitations to the events scheduled for the 76th annual community celebration. He noted the 75th anniversary would have been celebrated in 2020 but due to COVID, it will be celebrated in 2021. This year, the coffee with the candidates at the Goodness Coffee House will kick off Willmar Fests at 9:00 a.m. on Wednesday, June 23rd. He acknowledged the many great sponsors who make this celebration happen. He touched on the many events of the festival to include the Block Party on Thursday, June 24th at 4:15 p.m., the Grand Day Parade on Saturday, June 26th at 10:30 a.m., coronation at 3:00 p.m. followed by the Little Crow Ski Show at 7:30 p.m., and the "Works Over Water" Fireworks Show at 10:00 p.m.

Mr. Miller then introduced the current 2019-2020 Willmar Fests Royalty: Queen of Festivals Abby Valladarez, Aqua Princess Brielle Thorpe, and International Princess Maddie Stoeberl. The royalty thanked the Mayor and Council for their past support and gave a presentation of some events they had attended as representatives of Willmar. Mayor Calvin thanked them for their commitment as Ambassadors for the City and for their attendance at numerous parades and city celebrations.

Mayor Calvin presented a request to rescind City Council Resolution No. 2020-044, dated March 16, 2020, declaring the local emergency due to the COVID-19 pandemic.

Following discussion, Council Member Fagerlie offered a motion to approve the Mayor's request. Council Member Butterfield seconded the motion which carried.

Council Member Nelsen offered a motion to continue the hybrid option for Council, staff, and persons making presentations. Council Member Davis seconded the motion which carried.

City Attorney Robert Scott presented a request to adopt the emergency ordinance to allow temporary commercial use of public property. Mr. Scott noted the Council has approved such ordinance in the past and this version will expire in 60 days or when the state level peacetime emergency declared by Governor Walz ends, whichever comes first.

Following discussion, Council Member O'Brien offered a motion to adopt, assign a number and publish Ordinance No. **1466 An Emergency Ordinance Temporarily Permitting Limited Sales of Goods and Delivery of Services Within Public Rights-of-Way and Other City Property During the COVID-19 Local Emergency**. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 6, Noes 0.

Due to the length and cost of publishing entire Ordinance, Council Member Fagerlie introduced **Resolution No. 2021-136 Authorization to Publish Ordinance No. 1466 An Emergency Ordinance Temporarily Permitting Limited Sales of Goods and Delivery of Services Within Public Rights-of-Way and Other City Property During the COVID-19 Local Emergency By Summary**. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 6, Noes 0.

Council Member Asmus arrived at 6:45 p.m.

Finance Director Okins presented a request to adopt final budgets for the local option sales tax projects of Robbins Island, Swansson Field, Recreation Fields, and Event/Recreation Center.

Resolution No. 2021-137 Robbins Island Budget was introduced by Council Member Nelsen. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-138 Swansson Fields Budget was introduced by Council Member Nelsen. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-139 Recreation Fields Budget was introduced by Council Member Nelsen. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-140 Event/Recreation Center Budget was introduced by Council Member Nelsen. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Fire Chief Hanson presented a request to approve the resurface of the fire department's apparatus bay floor by Swedbro of Ham Lake, MN. The floor surface is heavily chipped and is seeing some major wear and tear.

Resolution No. 2021-141 Authorization Acceptance of the Quote from Swedbro for the Resurfacing the Fire Department Apparatus Floor was introduced by Council Member O'Brien. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Police Chief Felt presented a request to approve an agreement with the Willmar School District for the 2021-2022 school year. This agreement is for one year, as the school district wishes to re-evaluate student and funding levels due to significant changes due to COVID response to plan for future agreements.

Resolution No. 2021-142 Authorization to Execute Agreement with Willmar School District No. 347 for School Resource Officers was introduced by Council Member O'Brien. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Chief Felt acknowledged recent concerns brought to his attention regarding the Kandi Racing Association and the last races going past the designated deadline. He stated this was a special benefit race and future races will abide by the agreement established.

City Attorney Scott presented a request to remove from the table the item to waive legal costs and city permit fees.

Council Member Nelsen offered a motion to remove from the table the item to waive legal costs and city permit fees. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Following discussion, **Resolution No. 2021-143 Exempting Local Option Sales Tax Projects from Certain Fees and Expenses** was introduced by Council Member Nelsen. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Council Member Plowman arrived at 7:09 p.m.

Parks and Recreation Director Baumgarn presented a request to approve Braun Intertec Corporation proposal to provide special inspections and testing for the Events and Recreation Center.

Resolution No. 2021-144 Approving to Adopt the Proposal from Braun Intertec Corporation to Provide Special Inspections and Testing for the Events and Recreation Center for the Amount of \$37,021.00 was introduced by Council Member Nelsen. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Parks and Recreation Director Baumgarn presented a request to approve an agreement with Wings of Hope to install a granite monument. The Wings of Hope will provide the labor and materials for this project.

Resolution No. 2021-145 Approving to Adopt the Agreement with Wings of Hope to Install a Granite Monument was introduced by Council Member Fagerlie. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

BakerTilly Representative Patty Heminover stated a City Administrator candidate has been identified and would like to recommend Council set interview for June 22, 2021.

Council Member Nelsen offered a motion to set interview for City Administrator finalist for June 22, 2021. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Council Member O'Brien stated there were issues on the road in front of his house, he called the City and the area was patched within an hour. "Kudos" to staff for quick response.

Council Member Fagerlie stated there were 59 teams that participated in the recent baseball tournament held in Willmar.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Nelsen seconding the motion which carried. The meeting adjourned at 7:22 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2021-135
APPROVING CONSENT AGENDA ITEMS

Motion By: Fagerlie Second By: Nelsen

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the June 21, 2021 City Council meeting be approved as presented.

Dated 21st day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-136

**AUTHORIZATION TO PUBLISH PUBLIC HEARING NOTICE BY SUMMARY
FOR AN EMERGENCY ORDINANCE TEMPORARILY PERMITTING LIMITED SALES OF GOODS AND DELIVERY
OF SERVICES WITHIN PUBLIC RIGHTS-OF-WAY**

Motion By: Fagerlie

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that "An Emergency Ordinance Temporarily Permitting Limited Sales of Goods and Delivery of Services within Public Rights-of-Way and Other City Property During the COVID-19 Local Emergency" be published by summary.

Dated this 21st day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-137

PROJECT-Robbins Island

TOTAL COST \$ 3,000,000

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
11* Overtime Reg. Employees
12* Salaries Temp. Employees
13* Employer Pension Contr.
14* Employer Ins. Contr.
TOTAL

\$0.00

RECEIVABLES

Assessments Prop Owners \$0.00
LOST \$ 3,000,000
General \$
MUC \$0.00
WTP \$0.00
Bond Proceeds \$0.00

TOTAL

\$ 3,000,000

SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies

TOTAL **\$0.00**

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$ 2,380,500
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$ 238,050

TOTAL **\$ 2,618,550**

OTHER CHARGES

46* Prof. Serv. \$ 357,075
 49 Other Charges \$ 24,375

TOTAL **\$ 381,450**

GRAND TOTAL **\$ 3,000,000**

FINANCING

General \$
 LOST BONDS \$ 3,000,000
 WTP \$0.00
 MUC \$0.00
 MnDOT \$0.00

TOTAL **\$ 3,000,000**

GRAND TOTAL **\$ 3,000,000**

Dated this 21st day of June, 2021

/s/ Marv Calvin

Mayor

Attest:

/s/ Judy Thompson

City Clerk

RESOLUTION NO. 2021-138**PROJECT-Swansson Fields**

TOTAL COST \$ 2,000,000

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
 11* Overtime Reg. Employees
 12* Salaries Temp. Employees
 13* Employer Pension Contr.
 14* Employer Ins. Contr.

TOTAL **\$0.00**

RECEIVABLES

Assessments Prop Owners \$0.00
 LOST \$ 2,000,000
 General \$
 MUC \$0.00
 WTP \$0.00
 Bond Proceeds \$0.00

TOTAL **\$ 2,000,000**

SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies

TOTAL **\$0.00**

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$ 1,771,877
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$ 70,000

TOTAL **\$ 1,841,877**

OTHER CHARGES

46* Prof. Serv. \$ 141,100
 49 Other Charges \$ 17,023

TOTAL **\$ 158,123**

GRAND TOTAL **\$ 2,000,000**

FINANCING

General \$
 LOST BONDS \$ 2,000,000
 WTP \$0.00
 MUC \$0.00
 MnDOT \$0.00

TOTAL **\$ 2,000,000**

GRAND TOTAL **\$ 2,000,000**

Dated this 21st day of June, 2021

/s/ Marv Calvin
 Mayor

Attest:

/s/ Judy Thompson
 City Clerk

RESOLUTION NO. 2021-139**PROJECT-Recreation Fields**

TOTAL COST \$ 6,000,000

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
 11* Overtime Reg. Employees
 12* Salaries Temp. Employees
 13* Employer Pension Contr.
 14* Employer Ins. Contr.

TOTAL **\$0.00**

RECEIVABLES

Assessments Prop Owners \$0.00
 LOST \$ 6,000,000
 General \$
 MUC \$0.00
 WTP \$0.00
 Bond Proceeds \$0.00

TOTAL **\$ 6,000,000**

SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies

TOTAL **\$0.00**

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$ 5,223,245
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$ 420,000

TOTAL **\$ 5,643,245**

OTHER CHARGES

46* Prof. Serv. \$ 718
 49 Other Charges \$ 356,037

TOTAL **\$ 356,755**

GRAND TOTAL **\$ 6,000,000**

FINANCING

General \$
 LOST BONDS \$ 6,000,000
 WTP \$0.00
 MUC \$0.00
 MnDOT \$0.00

TOTAL **\$ 6,000,000**

GRAND TOTAL **\$ 6,000,000**

Dated this 21st day of June, 2021

/s/ Marv Calvin

Mayor

Attest:

/s/ Judy Thompson

City Clerk

RESOLUTION NO. 2021-140
PROJECT-Event/Recreation Center
TOTAL COST \$ 10,000,000

*Budget Amounts are Essential

Motion By: Nelsen

Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
 11* Overtime Reg. Employees
 12* Salaries Temp. Employees
 13* Employer Pension Contr.
 14* Employer Ins. Contr.

TOTAL **\$0.00**

RECEIVABLES

Assessments Prop Owners \$0.00
 LOST \$ 10,000,000
 General \$
 MUC \$0.00
 WTP \$0.00
 Bond Proceeds \$0.00

TOTAL **\$ 10,000,000**

SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies

TOTAL **\$0.00**

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$ 8,459,123
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$ 500,000

TOTAL **\$ 8,959,123**

OTHER CHARGES

46* Prof. Serv. \$ 594,013
 49 Other Charges \$ 446,864

TOTAL **\$ 1,040,877**

GRAND TOTAL **\$ 10,000,000**

FINANCING

General \$
 LOST BONDS \$ 10,000,000
 WTP \$0.00
 MUC \$0.00
 MnDOT \$0.00

TOTAL **\$ 10,000,000**

GRAND TOTAL **\$ 10,000,000**

Dated this 21st day of June, 2021

/s/ Marv Calvin

Mayor

Attest:

/s/ Judy Thompson

City Clerk

RESOLUTION NO. 2021-141

**AUTHORIZATION ACCEPTANCE OF THE QUOTE FROM SWEDBRO FOR RESURFACING THE
 FIRE DEPARTMENT APPARATUS FLOOR**

Motion By: O'Brien

Second By: Ask

BE IT RESOLVED, by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the acceptance of the quote from Swedbro to resurface the Fire Department apparatus floor not to exceed the amount of \$38,000.00

Dated this 21st day of June, 2021.

/s/ Marv Calvin

MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-142

**AUTHORIZATION TO EXECUTE AGREEMENT WITH WILLMAR SCHOOL DISTRICT NO. 347
FOR SCHOOL RESOURCE OFFICERS**

Motion By: O'Brien

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and Interim City Administrator be authorized to enter into an agreement between the City of Willmar and Willmar School District No. 347 for providing School Resource Officers.

Dated this 21st day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-143

RESOLUTION EXEMPTING LOCAL OPTION SALES TAX PROJECTS FROM CERTAIN FEES AND EXPENSES

Motion By: Nelsen

Second By: Fagerlie

WHEREAS, in order to maximize funding available to support projects approved for funding from revenues generated by the City of Willmar's local option sales and motor vehicle excise tax pursuant to Laws of Minnesota for 2019, First Special Session, Chapter 6, Article 6, Section 32 (the "special legislation"), City staff has recommended that such projects be exempted from applicable plan review, water and sewer access charges, the City's portion of building permit fees and other fees or charges owing to the City as duly established by City Council resolution unless and until it is confirmed that sufficient revenues have been collected to pay such fees and charges in addition to other project costs; and

WHEREAS, for the same reason, City staff has recommended that attorney's fees incurred by the City in connection with such projects, which are eligible for payment from local option sales tax proceeds, be excluded from the budgets from such projects unless and until it is confirmed that sufficient revenues have been collected to pay such attorney's fees in addition to other project costs; and

WHEREAS, the City Council has approved project budgets for the Recreation Fields, Event and Recreation Center and Swansson Fields projects, each of which projects is approved for funding from revenues generated by the City of Willmar's local option sales and motor vehicle excise tax pursuant to the special legislation, and which project budgets were consistent with City staff's above-described recommendations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. That the City shall exempt all projects approved for funding from revenues generated by the City of Willmar's local option sales and motor vehicle excise tax pursuant to the special legislation from applicable plan review, water and sewer access charges, the City's portion of building permit fees and other fees or charges owing to the City as duly established by City Council resolution, until such time as the City Council may determine otherwise by resolution upon confirmation that sufficient revenues have been collected to pay such fees and charges in addition to other project costs.
2. That the City will continue to collect the surcharge proscribed by Minn. Stat. § 326B.148 on the original building permit fee amounts as stated in resolution and transfer such amounts to the state as required by law.
3. That attorney's fees incurred by the City in connection with projects approved for funding from revenues generated by the City of Willmar's local option sales and motor vehicle excise tax pursuant to the special legislation be charged to the General Operating Fund under the Legal Department, and excluded from project budgets for any such projects, unless and until otherwise determined by resolution of the City Council upon confirmation that sufficient revenues have been collected to pay such attorney's fees in addition to other project costs.

Dated this 21st day of June, 2021.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-144

**RESOLUTION APPROVING TO ADOPT THE PROPOSAL FROM BRAUN INTERTEC CORPORATION TO
PROVIDE SPECIAL INSPECTIONS AND TESTING FOR THE EVENTS AND RECREATION CENTER FOR THE
AMOUNT OF \$37,021.00.**

Motion By: Nelsen Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar to adopt a resolution approving the agreement with Braun Intertec Corporation to provide special inspections and testing for the Events and Recreation Center for the amount of \$37,021.00 and authorizing the Mayor and Interim Administrator to sign.

Dated this 21st day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-145

**RESOLUTION APPROVING TO ADOPT THE AGREEMENT WITH WINGS OF HOPE TO INSTALL
A GRANITE MONUMENT.**

Motion By: Fagerlie Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar to approve the agreement with Wings of Hope to install a granite monument and authorize the Mayor and Interim City Administrator to sign.

Dated this 21st day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK